

**From:** [Hamlet, Robert, EMNRD](#)  
**To:** "Susan Singh"; "Trevor Baird"  
**Cc:** [Bratcher, Mike, EMNRD](#); [Venegas, Victoria, EMNRD](#); [Eads, Cristina, EMNRD](#); [Mann, Ryan](#)  
**Subject:** Remediation Denied - Enlink - Falcon CDP - (Incident #NRM2000659184)  
**Date:** Friday, September 11, 2020 4:03:00 PM  
**Attachments:** [Remediation Denied - Enlink - FALCON CDP.pdf](#)

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**Susan,**

We have received your Workplan/Remediation Proposal for **Incident #NRM2000659184 Falcon CDP**, thank you. This Workplan/Remediation proposal is denied.

- Occurred on NMSLO property, waited on Right of Entry (received 1/20, Expire 6/20)
- 1501 bbls oil released, 100 bbls oil recovered
- Drilled borehole to 56.5'
- A variance is approved for 1,000 ft2 confirmation sample size on the release area.
- **This location is not considered an active well pad, so all sample points will need to be treated as if it were in the pasture. All off pad areas must contain a minimum of 4 feet non-waste containing uncontaminated, earthen material with chloride concentrations less than 600 mg/kg and TPH less than 100 mg/kg. In the pasture area, 4 feet below the ground surface, soil contamination limits revert back to Table 1 "Closure Criteria for Soils Impacted by a Release" included in the spill rule**  
<http://164.64.110.134/parts/title19/19.015.0029.html>
- Sample points SS-3-4", SS-4-4", SS-5-4", SS-9-4", HA-1-3', , HD-2, and HD-8 are over the 100 mg/kg limit on TPH for the 4 feet non-waste containing uncontaminated, earthen material. These sample locations will need further delineation/excavation.
- Sample point SL-4A@4.5' is 4 feet below the ground surface. The correct limit for TPH 51'-100' is 2,500 mg/kg (GRO+DRO+MRO) or 1,000 mg/kg for (GRO+DRO). This sample point is 14,200 mg/kg, which is well over the limit. This sample location will need further delineation/excavation.

Please let me know if you have any further questions.

Regards,

Robert J Hamlet  
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Energy, Minerals, and Natural Resources  
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OCD approval does not relieve the operator of liability should their operations fail to adequately investigate and remediate contamination that may pose a threat to groundwater, surface water, human health or the environment. In addition, OCD approval does not relieve the operator of

responsibility for compliance with any other federal, state, or local laws and/or regulations.